REMARKS

Claims 1-31, 34, 37, and 39-42 are pending and appear in this application for the Examiner's review and consideration. Of these claims, claims 21 and 41 are currently amended. Claims 32-33, 35-36, and 38 are cancelled. Claims 21 and 41 are amended as being directed to embodiments of the invention. Support for the amendments are found in the original claims and throughout the specification, for example, in the Physiological Examples. As no new matter is introduced, entry of the amendments at this time is respectfully requested. The amendments are being made solely to expedite prosecution of the present application and to reduce issues for appeal, and do not constitute an acquiescence to any rejection by the Examiner. Applicants reserve the option to further prosecute the same or similar claims in the present or a subsequent application.

Claims 21-42 are rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement for the reasons stated on pages 2-3 of the Office Action. Applicants respectfully disagree.

As explained in the previous Amendments submitted on August 22, 2005 and May 10, 2006, a number of examples in the application demonstrate treating or preventing inflammatory diseases or disorders, damage resulting from ischemia, injuries to the central nervous system and neurodegenerative disorders, pain, autoimmune diseases, cardiovascular disorders, or drug abuse, tolerance or dependence by administering a compound according to the invention. For example, Physiological Example 1 shows that the compounds are NMDA antagonists, which are known neuroprotectors in cases of, for example, acute insults (such as cerebral ischemia, stroke, hypoxia, anoxia, poisoning, hypoglycemia, mechanical trauma, and epilepsy) and chronic neurodegenerative states (such as Huntington's disease, Parkinson's disease, ALS, AIDS, and dementia). Physiological Examples 2 and 3 show anti-inflammatory and analgesic activities of the compounds *in vivo* and *in vitro*, as expressed by modulation of PGE_2, TNFα and NO (see Table 2). Physiological Examples 4 to 7 show neuroprotective activities in cases of mechanical trauma (Example 4), stroke (Examples 5 and 6), and neurodegenerative disorders exemplified by Parkinson's disease (Example 7). Physiological Example 9 shows cardioprotective activities, and Physiological Example 10 illustrates the ability of the compounds to prevent, and even reverse, tolerance to opioids.

As also explained in the previous amendments, a compound useful against a certain disease can be useful against other diseases sharing a common mechanism of action. Thus, a person skilled in the art would understand the utility of the present compounds against diseases other than those specifically shown in the examples, especially in view of the illustrative mechanisms of action described in the application, including blocking of excitatory amino acid receptor-mediated toxicity (e.g., NMDA receptor antagonism); antioxidative activity (e.g., by NOS inhibition); anti-inflammatory activity (e.g., by inhibition of prostaglandin); analgesic activity (e.g., NMDA antagonism and PGE_2 inhibition); and immunomodulatory activity (e.g., by inhibition of TNF-α) (see para. [0020]; Table 2).

In the interest of expediting the prosecution of this application, however, independent claims 21 and 41 are amended to further define the diseases and conditions that can be treated by the invention. Claims 32-33, 35-36, and 38 are cancelled in view of the amendments to claims 21 and 41. Claims 21 recites a method for treating inflammation caused by edema or inducing prostaglandin synthesis; neural injury caused by edema, ischemia, head trauma, stroke, or spinal cord injury; Parkinson's Disease; optic neuropathy; ischemic damage to the cardiovascular system; pain; or drug abuse tolerance or dependence, or for providing axonal regeneration. Claim 41 recites a method for treating an inflammatory condition caused by edema; tolerance to or dependence on opioids; symptoms associated with chronic, neuropathic or other pain; neural injury caused by edema, cerebral ischemia, head trauma, or stroke; Parkinson's disease; or myocardial infarction.

Each of these diseases and conditions is specifically exemplified and enabled in the specification. For example, Physiological Examples 2 and 3 show the anti-inflammatory activity of the present compounds to treat inflammation from ear edem and inflammation that induces prostaglandin synthesis. Physiological Examples 4 to 6 show the effectiveness of the compounds in treating cerebral edema, head injury, ischemia, and cerebral artery occlusion. Physiological Example 7 shows the effectiveness of the compounds in treating Parkinsons's Disease. Physiological Example 8 shows the effectiveness of the compounds in treating optical neuropathy and in providing axonal survival and regeneration. Physiological Example 9 shows the effectiveness of the compounds in treating myocardial ischemia. Physiological Example 10 shows the analgesic effect of the presents compounds and their usefulness in treating pain and reversing tolerance or dependence on morphine. Thus, the

specification provides enablement for claims 21 and 41, and the claims depending therefrom. Accordingly, the rejection under 35 U.S.C. § 112, first paragraph, should be withdrawn.

Claims 21-42 are also rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement for the reasons stated on pages 4-5 of the Office Action. Applicants respectfully disagree.

As explained in the previous Amendments, the diseases and conditions recited in the claims are described in the specification (see, for example, paras. [0091] to [0103]). Further, a person having ordinary skill in the art is well aware of the disorders which can be treated with the compounds having the activities described in the specification. For example, as discussed in the Amendment filed on May 10, 2006, Adam Bisaga et al., "In search of a new pharmacological treatment for drug and alcohol addiction: N-methyl-D-aspartate (NMDA) antagonists," *Drug and Alcohol Dependence* 59:1-15 (2000), explains that NMDA antagonists can block a common pathway of action shared by addictive substances belonging to various chemical classes and structures, such as alcohol, nicotine, opioids, morphine, heroin, cocaine, amphetamine, sedatives, benzodiazepines, diazepam, and barbiturates, and describes animal models and clinical studies in which tolerance to or dependence on these substances was prevented or reverted by NMDA antagonists, and discloses the potential utility of NMDA receptor antagonists in treating substance abuse. This article shows that a person of ordinary skill in the art would clearly understand, from the description in the specification, the benefits of the present compounds in treating drug or substance abuse. Similarly, based on the disclosure of the activities of the presents compounds as well as specific diseases and conditions that can be treated with the compounds, and further in view of the knowledge in the art at the filing of this application, a skilled artisan would understand which and how certain conditions are intended to be treated with the present compounds.

In addition, to expedite the prosecution of this application, claims 21 and 41 are amended to further defined the treated diseases and conditions. As discussed above, the use of the present compounds to treat or alleviate the disease and conditions recited in these claims are clearly and specifically explained in the Physiological Examples. Therefore, Applicants respectfully submit that the claims meet the written description requirement under 35 U.S.C. § 112, first paragraph. Accordingly, all rejections under 35 U.S.C. § 112, first paragraph, should be withdrawn.

In view of the above, the entire application is believed to be in condition for allowance, early notification of which would be appreciated. Should the Examiner not agree, a personal or telephonic interview is respectfully requested to discuss any remaining issues in order to expedite the eventual allowance of the claims.

Respectfully submitted,

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